

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

RICHARD K. HOLMAN,

Plaintiff,

Case No. 07-11735

v.

Honorable John Corbett O'Meara

METALDYNE and FORMTECH
INDUSTRIES, INC., L.L.C.,

Defendants.

**ORDER GRANTING DEFENDANTS' MOTION TO DISMISS AND/OR
FOR ENTRY OF SUMMARY JUDGMENT**

This matter came before the court on Defendants' March 18, 2008 Motion to Dismiss and/or for Entry of Summary Judgment. Plaintiff Richard K. Holman failed to file a timely response; and on July 30, 2008, the court ordered Plaintiff to respond on or before August 20, 2008. To date, no response has been filed.

Pursuant to Rule 56(c) of the Federal Rules of Civil Procedure, summary judgment is appropriate against a party who fails to make a showing sufficient to establish the existence of all elements essential to that party's case and on which that party bears the burden of proof. Celotex Corp. v. Catrett, 447 U.S. 317 (1986). The party opposing the motion must make an affirmative showing with proper evidence to defeat a motion for summary judgment. Street v. J.C. Bradford & Co., 886 F.2d 1472 (6th Cir. 1989).

In this case plaintiff Holman has failed to make any showing with any evidence to defeat Defendants' motion for summary judgment.

ORDER

It is hereby **ORDERED** that Defendants' March 18, 2008 motion to dismiss and/or for entry of summary judgment is **GRANTED**.

s/John Corbett O'Meara
United States District Judge

Date: September 19, 2008

I hereby certify that a copy of the foregoing document was served upon the parties of record on this date, September 19, 2008, by electronic and/or ordinary mail.

s/William Barkholz
Case Manager